

REDACTED

January 26, 2005

April Mulqueen, Esquire
Assistant Director
Telecommunications Division
Massachusetts Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

Re: Request for Waiver of NANPA's Denial of Verizon-MA's Request for 13,000 numbers to serve a large business customer

Dear Ms. Mulqueen:

The purpose of this letter is to seek a waiver of NANPA's (*i.e.*, NeuStar) decision to deny Verizon Massachusetts' ("Verizon-MA") request for 13,000 numbers to permit Verizon MA to offer service to a large business customer at three locations. Verizon-MA takes such action pursuant to Federal Communications Commission ("FCC") rules [47 C.F.R. 52.15(g)(3)(iv)].

I. NATURE OF NUMBERING REQUEST

The client, a customer of Verizon-MA, requested 13,000 telephone numbers specifically in the XXXX, XXXX, and XXXX COs in order to provide integrated dialing at three facilities to support the growth of the organization. As such, the Customer is in need of 13,000 numbers with the following number range specifications: XXXX XX1-2000 through 6999, XXXX XX2-3000 through 6999, and XXXX XX3-1000 through 4999. Due to the Customer's 5 digit dialing pattern, the exchanges must be consecutive at all three locations and cannot end in a 0, 8 or 9. Additionally, the area code for Brookline and Jamaica Plan must be the same. Verizon-MA currently does not have the numbers in its inventory for the XXXX, XXXX, and XXXX exchanges to meet the needs of this customer. The Customer's request for these consecutive numbers is so that its telecommunications systems will be compatible with its existing dialing patterns while they plan for expansion and new PBX systems. A copy of the customer letter to Verizon-MA indicating the need for the activation of 13,000 numbers and the specific plans of the Customer are outlined in attachment, Exhibit A.

On January 26, 2005, Verizon-MA submitted a Central Office Code (NXX) Assignment Request (a "Part 1" form) to the NANPA (NeuStar), requesting the three entire NXXs to meet the Customer's needs. The Company explained that it did not have the needed numbers available in its existing inventory in the XXXX, XXXX, and XXXX rate centers. A copy of the "Part 1" forms are attached as Exhibit B (1-3).

On the same day, NANPA's Central Office Code Administrator denied the Company's request on the grounds that Verizon-MA had not met the rate-center-based MTE criteria, as set forth by the FCC. This denial was based upon not meeting the months-to-exhaust ("MTE") requirements – notwithstanding the fact that Verizon-MA does not have the specific numbering resources needed to satisfy this specific customer's request. A copy of the e-mail decision denying Verizon-MA the codes for the Customer is attached as Exhibit C (1-3).

Verizon-MA submitted the MTE Certification Worksheets required by NANPA, completed in accordance with the Industry Numbering Committee's Central Office Code (NXX) Assignment Guidelines ("INC Guidelines"). Attached as Exhibit D (1-3) are the MTEs for Verizon-MA's XXXX, XXXX, and XXXX rate centers to meet the Customer's request.

Verizon-MA requested the specific consecutive telephone number blocks from NeuStar because it did not have them in its supply of numbers for the XXXX, XXXX, and XXXX rate centers. Attached as Exhibit E (1-3) are reports from Verizon's Number Administration Center supporting Verizon-MA's claim that the Customer's request could not be satisfied with the existing numbering resources in those rate centers. Verizon-MA considers Exhibits A through E to be highly competitively sensitive and requests that the Department afford this information proprietary treatment because it contains customer specific data and data relating to number utilization and forecasted growth in the XXXX, XXXX, and XXXX rate centers.

II. REQUEST FOR WAIVER OF NANPA'S NXX CODE DENIAL

By way of this letter, Verizon-MA requests that the Department overturn NeuStar's decision and order that the requested consecutive telephone numbers be assigned to Verizon MA's XXXX, XXXX, and XXXX central office switches to permit Verizon MA to serve the Customer. The Department has the authority to take such action pursuant to the FCC's Numbering Resource Optimization ("NRO") *Third Report and Order and Second Order on Reconsideration* (FCC 01-362), released December 28, 2001, in CC Docket No. 96-98 and CC Docket No. 99-200 (*"Third NRO Order"*).

In the *Third NRO Order, Appendix A, Final Rules, 52.15(g)(4)*, the FCC states:

The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state commission may affirm, or may overturn, the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has complied with the reporting and numbering resource application requirements herein. The state commission also may overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies.

Further, the FCC states:

We therefore clarify that states may also grant relief if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory. Carriers may demonstrate such a need by providing the state with documentation of the customer request and current proof of utilization in the rate center.

Third NRO Order at 64. In accordance with applicable FCC rules, Verizon MA respectfully asks that the Department grant this waiver request so that the Company can continue to serve the Customer.

Thank you for your assistance in this matter. Please contact me at 617-743-9250 if you have any questions concerning this request.

Very truly yours,

Enclosures

cc: Mary L. Cottrell, Secretary
Michael Isenberg, Esq., Telecommunications Director (w/proprietary materials)
Paula Foley, MA DTE (w/proprietary materials)
Service List DTE 01-33

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